UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/556,206	04/24/2000	Dennis M. Patterson	HIJK-3737	8236

7590   11/07/2003

Scott W Kelley Esquire
Kelly Bauersfeld Lowry & Kelley LLP
6320 Canoga Avenue Suite 1650
Woodland Hills, CA   91367

EXAMINER
SMITH, PETER J

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application N .	Applicant(s)
Office Action Summary	09/556,206	PATTERSON ET AL.
	Examin r	Art Unit
	Peter J Smith	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *24 April 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 April 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: application filed on 04/24/2000.

2.   Claims 1-23 are pending in the case. Claims 1, 13, and 20 are independent claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jecha et**

al. (hereafter referred to as Jecha), US 6,247,011 B1 filed 12/02/1997 in view of Sieber, US

5,649,216 published 07/15/1997 and "Inline Plug-ins",

[http://web.archive.org/web/19970501013344/www101.netscape.com/comprod/products/nav

igator/version_2.0/plugins/index.html] published 05/01/1997, Netscape Communications, p.

1-2.

        Regarding independent claim 1, Jecha teaches accessing a web-site server from a local

computer in fig. 2, col. 6 lines 21-24, and the abstract. Jecha teaches creating a customized

document request utilizing a script installed on the local computer in col. 1 lines 48-58. Jecha

teaches communicating a customized document request to a web-server in col. 1 line 59 – col. 2

line 3. Jecha teaches retrieving document layouts in col. 6 lines 21-36. Jecha also teaches

sending a customized document fulfilling the customized document request from a local

computer to a web-site server, which could also be from a web-site server to a local computer in

fig. 2, fig. 3, and col. 1 lines 56-58.

Jecha does not teach a web-site server having a selection of document layouts. Jecha does

not teach retrieving document layouts from a web-site server. Jecha does not teach utilizing a

plug-in component installed on a local computer.   Sieber does teach a web-site server having a

selection of document layouts in col. 1 line 41 – col. 2 line 4 and col. 2 line 65 – col. 3 line 26.

Sieber also teaches retrieving document layouts from a web-site server in fig. 3 and col. 5 lines

12-29. Inline Plug-in teaches utilizing a plug-in component installed on a local computer on

page 1.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have combined Sieber and Inline Plug-in into Jecha to create the claimed invention.

It would have been obvious and desirable to maintain a selection of document layouts made

available to the local client computers so that the library of layouts was easily maintained in one

location. This way the users accessing the web-site server through the local computers would

always have had the most up-to-date layouts at their disposable. It would have been obvious and

desirable to use a plug-in so that the programming running in the browser would not have to be

downloaded each time the user visited the site to create a document.

Regarding dependent claim 2, Jecha teaches selecting a document type and document

content in fig. 3, fig. 4a-4m, and col. 2 lines 4-20.

Regarding dependent claim 3, Jecha teaches selecting a graphics image in fig. 4f and

col. 7 lines 4-17.

Regarding dependent claim 4, Jecha teaches adding text to the document in fig. 4i, fig. 4j, and col. 7 lines 18-37.

Regarding dependent claim 5, Jecha teaches an authoring program suitable for professional users in fig. 4i, fig. 4j, and col. 2 lines 12-17, which would inherently include selecting a font to be applied to the text of the document.

Regarding dependent claim 6, Jecha teaches selecting document resolution in col. 7 lines 21-26.

Regarding dependent claim 7, Jecha teaches selecting image and text orientation in col. 7 lines 4-37.

Regarding dependent claim 8, Jecha teaches printing a customized document in the abstract.

Regarding dependent claim 9, Jecha teaches a server which knows the format to which a document must be translated for printing and it could determine if a printer connected to it is capable of printing the document and if not notifies the user of the printer's incapability in col. 2 lines 11-12 and col. 2 lines 18-20.

Regarding dependent claim 10, Jecha teaches electronically transferring the customized document to another computer in fig. 2 and the abstract.

Regarding dependent claim 11, Jecha teaches downloading an authoring program from the internet in the abstract. Jecha does not teach a plug-in. Inline Plug-in does teach a plug-in on page 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Inline Plug-in into Jecha to create the claimed invention. It would

have been obvious and desirable to use a plug-in so that the programming running in the browser

would not have to be downloaded each time the user visited the site to create a document.

Regarding dependent claim 12, Jecha teaches using a web browser of the local

computer to interface with the server through the Internet in col. 1 lines 62-65.

Regarding dependent claim 13, Jecha teaches accessing a web-site server from a local

computer in fig. 2, col. 6 lines 21-24, and the abstract. Jecha teaches creating a customized

document request utilizing a script installed on the local computer in col. 1 lines 48-58. Jecha

teaches selecting a document type and document content in fig. 3, fig. 4a-4m, and col. 2 lines 4-

20. Jecha teaches communicating a customized document request to a web-server in col. 1 line

59 – col. 2 line 3. Jecha teaches retrieving document layouts in col. 6 lines 21-36. Jecha also

teaches sending a customized document fulfilling the customized document request from a local

computer to a web-site server, which could also be from a web-site server to a local computer in

fig. 2, fig. 3, and col. 1 lines 56-58.

Jecha does not teach a web-site server having a pre-prepared selection of document

layouts. Jecha does not teach retrieving document layouts from a web-site server. Jecha does not

teach utilizing a plug-in component installed on a local computer.   Sieber does teach a web-site

server having a pre-prepared selection of document layouts in col. 1 line 41 – col. 2 line 4 and

col. 2 line 65 – col. 3 line 26. Sieber also teaches retrieving document layouts from a web-site

server in fig. 3 and col. 5 lines 12-29. Inline Plug-in teaches utilizing a plug-in component

installed on a local computer on page 1.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have combined Sieber and Inline Plug-in into Jecha to create the claimed invention.

It would have been obvious and desirable to maintain a selection of document layouts made

available to the local client computers so that the library of layouts was easily maintained in one

location. This way the users accessing the web-site server through the local computers would

always have had the most up-to-date layouts at their disposable. It would have been obvious and

desirable to use a plug-in so that the programming running in the browser would not have to be

downloaded each time the user visited the site to create a document.

Regarding dependent claim 14, Jecha teaches selecting a graphics image in fig. 4f and

col. 7 lines 4-17. Jecha teaches selecting document resolution in col. 7 lines 21-26. Jecha

teaches selecting image and text orientation in col. 7 lines 4-37.

Regarding dependent claim 15, Jecha teaches adding text to the document in fig. 4i, fig.

4j, and col. 7 lines 18-37.

Regarding dependent claim 16, Jecha teaches an authoring program suitable for

professional users in fig. 4i, fig. 4j, and col. 2 lines 12-17, which would inherently include

selecting a font to be applied to the text of the document.

Regarding dependent claim 17, Jecha teaches a server which knows the format to which

a document must be translated for printing and it could determine if a printer connected to it is

capable of printing the document and if not notifies the user of the printer's incapability in col. 2

lines 11-12 and col. 2 lines 18-20.

Regarding dependent claim 18, Jecha teaches electronically transferring the customized

document to another computer in fig. 2 and the abstract.

Regarding dependent claim 19, Jecha teaches downloading an authoring program from

the internet in the abstract. Jecha does not teach a plug-in. Inline Plug-in does teach a plug-in on

page 1. It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have combined Inline Plug-in into Jecha to create the claimed invention. It would

have been obvious and desirable to use a plug-in so that the programming running in the browser

would not have to be downloaded each time the user visited the site to create a document.

Regarding independent claim 20, Jecha teaches accessing a web-site server from a local

computer in fig. 2, col. 6 lines 21-24, and the abstract. Jecha teaches creating a customized

document request utilizing a script installed on the local computer in col. 1 lines 48-58. Jecha

teaches selecting a document type and document content in fig. 3, fig. 4a-4m, and col. 2 lines 4-

20. Jecha teaches selecting a graphics image in fig. 4f and col. 7 lines 4-17. Jecha teaches

selecting document resolution in col. 7 lines 21-26. Jecha teaches selecting image and text

orientation in col. 7 lines 4-37.

Jecha teaches adding text to the document in fig. 4i, fig. 4j, and col. 7 lines 18-37. Jecha

teaches an authoring program suitable for professional users in fig. 4i, fig. 4j, and col. 2 lines 12-

17, which would inherently include selecting a font to be applied to the text of the document.

Jecha teaches communicating a customized document request to a web-server in col. 1 line 59 –

col. 2 line 3. Jecha teaches retrieving document layouts in col. 6 lines 21-36. Jecha also teaches

sending a customized document fulfilling the customized document request from a local

computer to a web-site server, which could also be from a web-site server to a local computer in

fig. 2, fig. 3, and col. 1 lines 56-58.

Jecha does not teach a web-site server having a pre-prepared selection of document

layouts. Jecha does not teach retrieving document layouts from a web-site server. Jecha does not

teach utilizing a plug-in component installed on a local computer. Sieber does teach a web-site

server having a pre-prepared selection of document layouts in col. 1 line 41 – col. 2 line 4 and

col. 2 line 65 – col. 3 line 26. Sieber also teaches retrieving document layouts from a web-site

server in fig. 3 and col. 5 lines 12-29. Inline Plug-in teaches utilizing a plug-in component

installed on a local computer on page 1.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have combined Sieber and Inline Plug-in into Jecha to create the claimed invention.

It would have been obvious and desirable to maintain a selection of document layouts made

available to the local client computers so that the library of layouts was easily maintained in one

location. This way the users accessing the web-site server through the local computers would

always have had the most up-to-date layouts at their disposable. It would have been obvious and

desirable to use a plug-in so that the programming running in the browser would not have to be

downloaded each time the user visited the site to create a document.

Regarding dependent claim 21, Jecha teaches a server which knows the format to which

a document must be translated for printing and it could determine if a printer connected to it is

capable of printing the document and if not notifies the user of the printer's incapability in col. 2

lines 11-12 and col. 2 lines 18-20.

Regarding dependent claim 22, Jecha teaches electronically transferring the customized

document to another computer in fig. 2 and the abstract.

Regarding dependent claim 23, Jecha teaches downloading an authoring program from

the internet in the abstract. Jecha does not teach a plug-in. Inline Plug-in does teach a plug-in on

page 1. It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have combined Inline Plug-in into Jecha to create the claimed invention. It would

have been obvious and desirable to use a plug-in so that the programming running in the browser

would not have to be downloaded each time the user visited the site to create a document.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Beer et al., US 6,016,146 filed 07/27/1994 discloses enhancing template manipulation

and creation in a graphical user interface. Cyman et al., US 5,845,302, filed 12/29/1995

discloses variable color configuration relates to an automated system which allows for the

printing of high-quality, highly-personalized documents in relatively small quantities and in a

cost efficient manner. Kelley et al., US 6,320,671 B1 filed 05/15/1998 discloses printing web

pages from an intranet or internet source with a client computer. Guttman et al., US 6,366,918

B1 priority filed 02/29/1996 discloses computer-implemented optimization of publication

layouts. Mori et al., US 6,417,931 B2 filed 07/28/1998 discloses a print layout device, a print

layout method with which all data can always be printed by ensuring that the data to be printed

do not extend out beyond the limits of the a printable area. Nojima et al., US 5,930,811 filed

10/25/1996 discloses a document processing apparatus permitting simplified manipulation for

designing a postcard or card and making it possible to create and design readily by visually

processing information on a display screen.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The

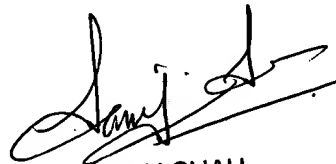examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

PJS
August 29, 2003

SANJIV SHAH
PRIMARY EXAMINER